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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/697,119 | 10/31/2003 | Norimasa Sohmiya | 244781US2 | 8459 |
| 22850 | 7590 | 06/28/2005 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. | | | BEATTY, ROBERT B | |
| 1940 DUKE STREET | | | ART UNIT | PAPER NUMBER |
| ALEXANDRIA, VA 22314 | | | 2852 | |

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/697,119 | Applicant(s) SOHMIYA ET AL. | |
| | Examiner Robert Beatty | Art Unit 2852 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 10, 27, 44, 60, 75 and 90 is/are rejected.
- 7) ☒ Claim(s) 11-26, 28-43, 45-59, 61-74, 76-89 and 91-96 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The abstract of the disclosure is objected to because on line 7, "means" constitutes legal terminology. Correction is required. See MPEP § 608.01(b).

3. Claims 10-96 are objected to because of the following informalities:

The applicant's independent claims are one paragraph which makes it unclear what is being claimed. It is suggested that the applicant use indentions (as in claim 1) to make these claims clearer.

In claims 13,30,46,61,76 and 91, the applicant claims "the other intermediate image transfer body" which is unclear as to whether applicant is referring to the first or second intermediate transfer body.

In claim 89, "said conductive roller" lacks proper antecedent basis.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 10,27,44,60,75 and 90 are rejected under 35 U.S.C. 102(a) as being anticipated by Haneda (JP# 2002-040720).

Haneda teach an image forming apparatus comprising a photosensitive drum 10, a first intermediate transfer belt 14a, and a second intermediate transfer belt 14b (see Fig.4). A first color image will be formed on the first intermediate transfer belt and transferred via upper transfer roller 14C to the second intermediate transfer belt, and a second color image will be formed on the first intermediate belt so that the first and second images can be transferred simultaneously to the front and back of a conveyed copy sheet via upper and lower transfer roller 14C. The upper transfer roller is contained within the first intermediate transfer belt and the lower transfer roller is contained within the second intermediate transfer belt. See paragraphs 40-43 of translation.

5. Claims 11-26,28-43,45-59,61-74,76-89,91-96 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


6. Claims 1-9 appear to be allowable over the prior art of record.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mochimaru et al., Mochimaru et al. (U.S.App. Pub), Lobel et al., Samizo et al. and Takahashi all teach duplex printing or the use of intermediate transfer members.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is (571) 272-2130. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.


Robert Beatty
Primary Examiner
Art Unit 2852